



**MEETING MINUTES  
BOARD OF SUPERVISORS, COUNTY OF MONO  
STATE OF CALIFORNIA**

Regular Meetings: First, Second, and Third Tuesday of each month. Location of meeting is specified below.

Teleconference Only - No Physical Location

**Regular Meeting  
December 8, 2020**

9:02 AM Meeting Called to Order by Chair Corless.

*Supervisors Present: Corless, Gardner, Kreitz, Peters, and Stump (all attended via teleconference).*

*Supervisors Absent: None.*

**The Mono County Board of Supervisors stream most of their meetings live on the internet and archives them afterward. To search for a meeting from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>.**

Pledge of Allegiance led by Supervisor Gardner.

**1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

None.

**2. RECOGNITIONS**

**A. Andrea Colasardo Recognition**

Departments: Animal Control

(Malinda Huggans, Animal Control Officer, Emily Hartman, Shelter Attendant) - Recognize Andrea Colasardo for her fundraising efforts to construct a shade structure at the Whitmore Animal Shelter for the comfort of the animals and visitors who socialize and adopt these animals.

**Action:** Approve proclamation recognizing Andrea Colasardo.

**Stump motion; Gardner seconded.**

**Vote: 5 yes, 0 no**

**M20-235**

**Dave Butters, HR Director:**

- Introduced item
- Malinda Huggans has just been promoted from Animal Control Officer to Animal Control Program Coordinator

**Malinda Huggans, Animal Control Program Coordinator:**

- Recognized Andrea Colasardo's efforts to improve the welfare of dogs at the Whitmore Animal Shelter

**Andrea Colasardo:**

- Thanked Board and everyone throughout the county for recognition

**Recognition of Retiring Behavioral Health employee, Annie Linaweaver**

**Action:** None.

**Supervisor Stump:**

- Recognition of retiring Behavioral Health employee, Annie Linaweaver

**Robin Roberts, Behavioral Health Director:**

- Annie will be missed, she put in a lot of years at Mono County Behavioral Health and we wish her well

**3. COUNTY ADMINISTRATIVE OFFICE**

**CAO Report regarding Board Assignments**

**Bob Lawton, CAO:**

- Budget preparation – projected mid-year financial report
- Attended Economic Recovery Branch meeting, multiple EOC meetings to discuss implications of Governor's Stay-at-Home order
- Housing taskforce in response to Mountain View Fire
- COVID Community Meeting
- Antelope Valley RPAC
- Assistant CAO update

**4. DEPARTMENT/COMMISSION REPORTS**

**Justin Nalder, Solid Waste Superintendent:**

- Cal recycle electronic annual report target factors

**Wendy Sugimura, Community Development Director:**

- Introduced Becky Peratt, new Planning Commission Secretary and Office Manager
- Use permit for horse boarding facility in Chalfant was approved at least Planning Commission meeting
- Have been meeting with Los Angeles Department of Water and Power and US Fish and Wildlife Service group working on the adaptive management plan for sage-grouse habitat in Long valley

**5. CONSENT AGENDA**

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

**A. Data Use and Disclosure Agreement Between Mono County and CalConnect**

Departments: Public Health

Data Use and Disclosure Agreement for Mono County Health Department's transition to CalCONNECT for case investigation and contact tracing purposes related to COVID-19.

**Action:** Approve the Data Use and Disclosure Agreement between Mono County and CalCONNECT and authorize Bryan Wheeler, Director of Public Health, to execute said agreement on behalf of the County.

**Kreitz motion; Gardner seconded.**

**Vote: 5 yes, 0 no**

**M20-236**

**B. Second Amendment to Agreement with McGinley and Associates, Inc.**

Departments: Public Works - Solid Waste

Proposed contract amendment with McGinley & Associates, Inc. pertaining to Groundwater Sampling and Reporting Services.

**Action:** Approve County entry into proposed contract and authorize County Administrative Officer (CAO) to execute said contract on behalf of the County.

**Kreitz motion; Gardner seconded.**

**Vote: 5 yes, 0 no**

**M20-237**

**C. Monthly Treasury Transaction Report**

Departments: Finance

Treasury Transaction Report for the month ending 10/31/2020.

**Action:** Approve the Treasury Transaction Report for the month ending 10/31/2020.

**Kreitz motion; Gardner seconded.**

**Vote: 5 yes, 0 no**

**M20-238**

**D. 2018-2021 County Performance Contract Amendment between Mono County Behavioral Health and the California Department of Health Care Services**

Departments: Behavioral Health

The proposed County Performance Contract Amendment with Department of Health Care Services continues the Department's efforts in streamlining the contracting process for behavioral health federal block grants by integrating the Substance Abuse Prevention and Treatment Block Grant (SABG) into the existing Performance Contract.

**Action:** Approve County entry into proposed contract amendment and authorize Robin Roberts to execute said contract on behalf of the County.

**Kreitz motion; Gardner seconded.**

**Vote: 5 yes, 0 no**

**M20-239**

**E. Training Funds Request for Supervisor-Elect Duggan**

Departments: Clerk of the Board

Under State law and the County Code, upon request of a Supervisor-Elect, county general fund moneys may be used prior to the assumption of office by that Supervisor-elect, for training and orientation including the payment of course fees, travel and per diem expenses, course materials, and consultant fees.

**Action:** Approve request for training funds, not to exceed \$1,000, for Supervisor-Elect Duggan to attend relevant professional training and orientation including the payment of course fees, travel and per diem expenses, course materials, and consultant fees between December 8, 2020 and January 4, 2021.

**Kreitz motion; Gardner seconded.**

**Vote: 5 yes, 0 no**

**M20-240**

**6. CORRESPONDENCE RECEIVED**

Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

*The Board acknowledged receipt of the correspondence.*

**A. Fish and Game Commission Notice re: Adoption of Regulatory Language**

Fish and Game Commission notice stating that the regulatory action relative to amending sections 3.00, 4.00, 5.00, 5.41, 5.85, 7.00, 7.50, 8.10, and adding sections 5.84, 5.89, 7.40, identified in Title 14, California Code of Regulations, which first appeared in the California Regulatory Notice Register on July 7, 2020; relating to Simplification of Statewide Inland Sport Fishing Regulations was adopted on October 14, 2020.

**B. Board of Forestry and Fire Protection Letter re: Adopted Resolution**

The State Board of Forestry and Fire Protection adopted Resolution No. 2020-2 on November 4, 2020. The resolution temporarily suspends the Board's process for certifying local ordinances as equaling or exceeding the Board's Fire Safe Regulations (14 CCR§ 1270 et seq.) that apply in the State Responsibility Area (SRA).

**C. Letter from Benny Romero re: Bridgeport Jail**

Letter from Benny Romero regarding the proposed new jail facility on Twin Lakes Road in Bridgeport, CA.

**Bob Lawton, CAO:**

- Provided update on Bridgeport Jail Project

**D. Letter from John Muir Trail Wilderness Conservancy re: Approval of Wildlife Conservation Board Grant**

Letter from the John Muir Trail Wilderness Conservancy regarding approval of the 1.6 million 4-year Wildlife Conservation Board Grant for ecological restoration in the Ansel Adams Wilderness along the John Muir Trail.

**E. Letter from SB 1290 Implementation Workgroup re: Passage of SB 1290**

On September 30, Governor Newsom signed SB 1290, which ends collection of and discharges all fees charged to youth in the juvenile system and some fees charged to youth 21 and under in the adult (criminal) system.

**Stacey Simon, County Counsel:**

- Provided background on SB 1290

**7. REGULAR AGENDA - MORNING**

**A. Mountain View Fire Update**

(Justin Nalder, EOC Director) - Update on the Mountain View Fire in Walker, California.

**Action:** None.

**Bob Lawton, CAO:**

- Introduced item

**Justin Nalder, EOC Director:**

- Reviewed mission and purpose of EOC
- Thanked Board for support
- Recognized the following individuals for their efforts: Safety Officer Lori Morris, Public Information Officer Justin Caporusso, Planning Section Chief Mary Booher, Logistics Section Chief Don Nunn, Louis Molina with Environmental health, Kathy Peterson with Community Support, Malinda Huggans with Animal Services, Jason Davenport with the Housing Taskforce, Stephanie Trujillo in Finance
- Discussed three key areas that have emerged as part of fire recovery: remediation planning, approach to housing, needs assessment for those impacted by the fire

**Supervisor Peters:**

- Reviewed fundraising efforts, donations received

**B. Mountain View Fire Recovery - Streamlining of Planning Permits and Fee Waivers**

Departments: Community Development

(Wendy Sugimura, Community Development Director) - Proposed resolution providing for placement of RVs on properties, interpreting accessory uses as nonconforming uses if the main use was lost to the fire, and waiving planning and building permit fees for property owners suffering loss of a residence.

**Action:** Find that the proposed resolution qualifies under CEQA exemptions 15303(a) and 15303(b), direct staff to file a Notice of Exemption, and adopt proposed resolution "Interpreting and Providing

Guidance to Staff in Implementing Various Community Development Department Regulations, Permits, and Fees for Reconstruction Associated With Mountain View Fire Recovery” with any desired modifications.

**Peters motion; Stump seconded.**

**Vote: 5 yes, 0 no**

**R20-103**

**Wendy Sugimura, Community Development Director**

- Presented item

**Louis Molina, Environmental Health Director:**

- Does not anticipate having to issue any permits for any major repairs or replacements for either wells or septic systems

### **C. COVID-19 (Coronavirus) Update**

Departments: CAO

(Robert C. Lawton, CAO, Dr. Tom Boo, Mono County Health Officer) - Update on Countywide response and planning related to the COVID-19 pandemic, including reports from the Emergency Operations Center (EOC), Unified Command (UC), and the various branches of the EOC, including Community Support and Economic Recovery, Joint Information Center (JIC), and Public Health.

**Action: None.**

**The following individuals gave updates:**

- Bob Lawton, CAO – PPT presentation (can be found under Supporting Documents on the meeting webpage)
- Bryan Wheeler, Public Health Director – testing numbers, vaccine planning
- Dr. Tom Boo, Mono County Health Officer – Stay-at-Home order
- Alicia Vennos, Economic Development Director – economic recovery, State programs available
- Supervisor Peters – CSAC Rural Caucus Workgroup update
- Stacey Simon, County Counsel – TOML Lodging regulations, interpretation of State laws
- Wendy Sugimura, Community Development Director – Revisit checklist for lodging owners - compliance with Stay-at-Home order
- Janet Dutcher, Finance Director – CARES Act funding
- Justin Caporusso, Public Information Officer – FAQ in development from JIC

**Public Comment:**

- No Name
- Abbie Korman
- Tricia Gomez
- Jennifer
- Erin

*Break: 11:42 AM*

*Reconvened: 11:54 AM*

### **D. Administrative Penalty Procedure for COVID-19-Related Violations**

Departments: Public Health and County Counsel

(Dr. Tom Boo, Mono County Health Officer, County Counsel Simon) - The County's existing administrative penalty system (Mono County Code Chapter 1.12) provides for the imposition of penalties for violations of state and county law, including health orders. Chapter 1.12 is general in nature and was not specifically-tailored to address violations of public health orders related to COVID-19. This ordinance would create a more-tailored administrative penalty procedure for violations involving public health orders and establish penalty amounts for those violations.

**Action:** None. Staff direction to return next week with a revised ordinance reemphasizing philosophy of education and voluntary compliance and adding a training requirement for any staff involved in implementing ordinance. Additionally, provide walkthrough of how ordinance will be implemented.

**Stacey Simon, County Counsel:**

- Introduced item

**Dr. Tom Boo, Mono County Health Officer:**

- Existing mechanisms are not timely/flexible enough
- Additional tool to deal with the pandemic and protect the public health

**Wendy Sugimura, Community Development Director:**

- Two code enforcement officers that cover the whole county with full caseloads without dealing with any COVID issues
- Increasing staff capacity would be very helpful and would allow the county to address issues/situations in a more timely manner

**Bryan Wheeler, Public Health Director:**

- Addressed vaccine timeline

**Public Comment:**

- Jennifer
- No Name
- Megan Lester

**E. Resolution Superseding and Replacing Resolution R17-86, Creating a Revolving Loan Fund for the Purchase of Deed-Restricted Housing, to Add Three 6-Month Loan Extension Periods, Delegate Authority to the CAO, and Commit Interest Earnings to Affordable Housing Purposes**

Departments: Finance

(Janet Dutcher, Finance Director, Megan Mahaffey, Accountant) - Resolution R17-86, amended Resolution R15-81, authorizing creation of Mono County's revolving loan fund to facilitate the purchase of deed-restricted properties by Mammoth Lakes Housing (MLH). The previous resolution permits loans to MLH for a period no longer than 12 months. This proposed Resolution allows for three 6-month extension beyond the original twelve-month term, delegates authority to the CAO to approve these extension, and commits all fund interest earnings to affordable housing purposes.

**Action:** Adopt proposed Resolution R20-104, Superseding and Replacing Resolution R17-86, Creating a Revolving Loan Fund for the Purchase of Deed-Restricted Housing, to Add Three 6-Month Loan Extension Periods, Delegate Authority to the CAO, and Commit Interest Earnings to Affordable Housing Purposes.

**Kreitz motion; Gardner seconded.**

**Vote: 5 yes, 0 no**

**R20-104**

**Megan Mahaffey, Accountant:**

- Presented item

**Public Comment:**

- Patricia Robertson

**F. Appointments to Mono County Construction Board of Appeals**

Departments: Community Development - Building Division

(Tom Perry, Building Official) - Consider appointments to fill two expired seats on the Mono County Construction Board of Appeals.

**Action:** Re-appoint Dan Hennarty and Steve Shipley to new four-year terms on the five (5) member Construction Board of Appeals.

**Stump motion; Kreitz seconded.**

**Vote: 5 yes, 0 no**

**M20-241**

**Tom Perry, Building Official:**

- Presented item

**G. MCPE Merit Leave Balance Rollover**

Departments: Human Resources/CAO

(David R Butters, HR Director) - Proposed resolution permitting MCPE employees who have unused merit leave balances as of December 31, 2020 to roll-over those balances into 2021 and use those balances by December 31, 2021 or they will be lost.

**Action:** Adopt proposed Resolution R20-105, Extending the Use of 2020 Merit Leave into 2021 Calendar Year for the MCPE Bargaining Unit Employees.

**Kreitz motion; Peters seconded.**

**Vote: 5 yes, 0 no**

**R20-105**

**Dave Butters, HR Director:**

- Presented item

**H. Inyo / Mono County Veteran Affairs Representative Update**

Departments: CAO

(Robert C. Lawton, CAO) - Report and discussion on the Inyo / Mono County Veteran Affairs representative.

**Action:** None.

**Bob Lawton, CAO:**

- Provided report
- Anticipate returning to the Board with a proposal for a contract that clearly sets forth the arrangement and services to be provided and the manner in which they are to be provided

**8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

None.

**9. CLOSED SESSION**

*Closed Session: 1:21 PM*

*Reconvened: 3:42 PM*

The Board directed staff to enter into a representation agreement with the law firms of Baron & Budd and Dixon Diab & Chambers for the purpose of initiating litigation against Liberty Utilities for losses suffered by the County due to the Mountain View Fire. The vote was 5-0.

**A. Closed Session - Labor Negotiations**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Dave Butters, Janet Dutcher, and Anne Frievalt. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO). Unrepresented employees: All.

**B. Closed Session - Public Employee Evaluation**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

**C. Closed Session - Exposure to Litigation**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one.

**D. Closed Session - Initiation of Litigation**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one.

**E. Closed Session - Threat to Public Services or Facilities**

Consultation with Mono County Sheriff, District Attorney, and Risk Manager.

**10. BOARD MEMBER REPORTS**

**Supervisor Corless:**

- Coping with Covid
- NACo Public Lands Steering Committee
- RCRC Executive Committee meetings, and RCRC Golden State Natural Resources meeting
- Community/business discussions re: stay at home order
- Eastern Sierra Sustainable Recreation Partnership: meeting coming up Dec 10 on project prioritization

**Supervisor Gardner:**

- On Wednesday Nov. 18 I participated in the monthly meeting of the Mono Basin Regional Planning Advisory Committee (RPAC). Topics discussed included a COVID update, status of the RPAC Housing Subcommittee, and the Mono Basin Community Plan.
- On Friday Nov. 20 I participated in a conference call with the National Association of Counties (NACO) Public Lands Policy Committee. Topics covered included an elections update, available information about vaccine development and distribution, and the status of pending legislation in Congress.
- On Nov. 24 and Dec. 1 I participated with the other Supervisors in the two special Board meetings.
- Last Wednesday Dec. 2 I participated in a conference call sponsored by NACO with President-Elect Biden's transition team for the Department of Interior. I joined other county officials to brief the team on selected issues. My focus was on additional resources for Federal public lands agencies to support our tourism and recreation dependent local economies. Yesterday morning I participated in a similar call with the transition team for the Department of Agriculture, specifically two persons working on the US Forest Service and the Natural Resources Conservation Service.
- Last Wednesday evening Dec. 2 I participated in the monthly meeting of the June Lake Citizens Advisory Committee. Topics discussed included Accessory Dwelling Units, a Balanced Rock beautification project, COVID status, and EV charging units in June Lake.
- Yesterday I participated in a quick NACO webinar on the status of Congressional consideration of current COVID assistance legislation. It is possible some additional financial assistance may be enacted in the next few weeks if the House and Senate can agree on a package. The proposal discussed yesterday would provide \$908 billion, with \$30 billion specifically for counties.
- Finally, yesterday with Chair Corless I participated in the monthly meeting of the Eastern Sierra Sustainable Recreation Partnership. Besides updates from each of the partner agency representatives, topics covered included COVID and the impact of new closures, dispersed camping concerns, and the status of fire restrictions.

**Supervisor Kreitz:**

- On December 2nd I attended the Mammoth Lakes Town Council meeting.
- On December 3rd, I attended the MLT Community Coffee, CA Forward main stage events, and the Community Conversation COVID-19.
- On December 4, I attended another main stage CA Forward event.
- On December 7th I attended the CCRH Legislative Committee regular monthly meeting and later in the evening I attended the MLH Board meeting.
- Upcoming - there's a special Town Council Meeting tonight at 5:30PM for COVID-19. And The Parcel will be before the Mammoth Lakes Planning and Economic Development Commission tomorrow, Wednesday, December 9th at 2PM.

**Supervisor Peters:**

- Reported out during meeting regarding Mountain View Fire and COVID Updates

**Supervisor Stump:**

- No report

**ADJOURNED AT 3:51 PM**

**ATTEST**

---

**STACY CORLESS  
CHAIR OF THE BOARD**

---

**QUEENIE BARNARD  
SENIOR DEPUTY CLERK OF THE BOARD**